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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE WESTERN DISTRICT OF WASHINGTON**
10 **AT TACOMA**

11 GLORIA RASMUSSEN and JONATHAN
12 RASMUSSEN, wife and husband and the
13 marital community composed thereof

14 Plaintiffs,

15 vs.

16 ALLSTATE PROPERTY AND CASUALTY
17 INSURANCE COMPANY, a foreign insurer,

18 Defendant.

NO. C09-5350RJB

STIPULATION AND ORDER FOR
DISMISSAL AND REMAND

19 The parties, by and through their undersigned counsel, stipulate that all of plaintiffs'
20 claims except plaintiffs' claim for uninsured motorist benefits shall be dismissed with
21 prejudice. The parties stipulate that plaintiffs' damages on the remaining claim total less
22 than \$75,000. This action shall be remanded back to state court for resolution of plaintiffs'
23 claim for uninsured motorist benefits. No attorney's fees or costs shall be awarded in favor
24 of any party.
25

1 DATED this ____ day of June, 2009.

2
3 REED McCLURE
4

5
6 By _____
7 Daryl L. Graves, WSBA #7561
8 Attorney for Plaintiff
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By _____
Michael S. Rogers, WSBA #16423
Attorneys for Defendant

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11 **JUDGMENT OF DISMISSAL**

12 Based upon the foregoing stipulation, the court dismisses with prejudice all of
13 plaintiffs' claims except plaintiffs' claim for uninsured motorist benefits. This action is
14 remanded to state court for resolution of plaintiffs' claim for uninsured motorist benefits. No
15 attorney's fees or costs are awarded in favor of any party.

16 DONE IN OPEN COURT this 1st day of July, 2009.

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19 ROBERT J. BRYAN
20 United States District Judge

21 Presented By:

22 REED McCLURE
23

24 By _____
25 Michael S. Rogers, WSBA #16423
Attorneys for Defendant

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2 Approved for entry, notice
3 of presentation waived:
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5 By _____
6 Daryl L. Graves, WSBA #7561
7 Attorneys for Plaintiffs
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